

EXHIBIT 2

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ESTATE OF ESTHER KLIEMAN, et al.,)
)
Plaintiffs,)
)
vs.) Civil Action
) No. 04-1173 (PLF/JMF)
THE PALESTINIAN AUTHORITY;)
et al.,)
)
Defendants.)
)
_____)

30(b)(6) DEPOSITION OF AFIF SAFIEH
JERUSALEM, ISRAEL
FEBRUARY 10, 2011

REPORTED BY: BRENDA MATZOV, CA CSR NO. 9243

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1 involved in the Palestinian National --
 2 A. Council.
 3 Q. -- Council, there was a relationship between
 4 the PLO and its PNC and the general union of Palestinian
 5 students, because delegate seats were made available to
 6 the student leaders of the general union of Palestinian
 7 students in order to sit on the PNC and one of its
 8 groups.

9 Is that an accurate statement, sir?

10 A. As I mentioned earlier, so the student
 11 movement was represented by a certain number of seats
 12 in the Palestinian parliament in exile. Those delegates
 13 were, one, supposed to convey some of the resolutions
 14 taken in the conferences of the student movement as
 15 such. And on other matters, it will be their individual
 16 responsibility on what would be their personal input
 17 or their personal inclinations.

18 So they would have, those delegates, a
 19 certain number of issues that they would have to
 20 raise in the parliament in session as a result of
 21 the conferences of the student movement. But on
 22 other issues, each delegate was entitled to express
 23 his or her personal opinion in those deliberations.

24 I was never one of the student delegates in
 25 any of those conferences. I was on the periphery in

1 in the institution, I have always believed that the
 2 Palestinian people, as a whole, were the vehicles of the
 3 idea. And I always believe -- and you might share that
 4 opinion -- that ideas are stronger than institutions,
 5 can be more appealing and more appetizing. And this is
 6 why I believe that it was an institution and an idea.

7 And I was always interested in that category
 8 of people who were independents but belong to the
 9 Palestinian society. And I believe they had a role
 10 and their say in the shaping of opinions and policies.

11 Q. Thank you.

12 On what date was the Palestine Liberation
 13 Organization officially established?

14 A. I believe, sir, you can consider the meeting
 15 on the Mount of Olives in 1964, I think May, as the
 16 moment -- as moment "M," as the moment when the PLO was
 17 founded as a result of a decision by the Arab League and
 18 as a result of consultations conducted with Palestinian
 19 society, dispersed geographically all across the region.
 20 And that first session of the PNC was, in my opinion,
 21 the founding moment of the PLO.

22 Q. Thank you.

23 At any time, to the best of your knowledge,
 24 Mr. Ambassador, did the PLO file any incorporation or
 25 organizational legal papers anywhere in the world to

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1 Belgium first and then in France.

2 Q. Thank you very much.

3 A. But you have to see the PNC as a parliament
 4 and not a party. It's a parliament and not a party.

5 And I am proud to say that the way we have
 6 lived, the way I have lived, the Palestinian national
 7 movement, I always considered it as a -- I considered
 8 it to be the exercise of constitutional pluralism. It
 9 was pluralistic in nature. It was a multi-party system
 10 with a number of people who were independents.

11 And I believe personally -- that's my personal
 12 reading of the Palestinian itinerary -- that those who
 13 carried the burden of the Palestinian national movement
 14 was an unwritten alliance between the Fatah movement
 15 and the independents. And I for one always cultivated
 16 the importance of the role of the independents our --
 17 of the independents in our national movement.

18 Q. When you say "independents," how --

19 A. People with no party affiliation.

20 And I have, sir -- you didn't ask me that
 21 question, but I'm volunteering --

22 Q. Okay.

23 A. -- my personal opinion. I always used to say,
 24 sir, that the PLO is, at the same time, an idea and an
 25 institution. And if a certain number of people worked

1 the best of your knowledge?

2 A. No, I wouldn't know with precision an answer
 3 to that. But I would expect, sir, that the minutes of
 4 those sessions, for example, would have been deposited
 5 at the Arab League headquarters. But to -- that's it.

6 Q. Are you aware, Mr. Ambassador, of the
 7 Palestine Liberation Organization becoming an
 8 incorporated entity in any country in the world
 9 at any time since its founding in May 1964?

10 A. I'm not familiar with the concept,
 11 "incorporated entity."

12 So I'm not -- but let me tell you, sir, that
 13 once it started its activity, certain countries started
 14 dealing with the PLO and allowing it to open political
 15 or diplomatic offices.

16 But with time, we became full members of
 17 the Arab League. We became the vice presidents of
 18 the Organization of Islamic Countries that were born
 19 in 1968, '69 in Morocco. We were the vice presidents
 20 of the non-aligned movement which, as you might
 21 remember, sir, was an important player in the
 22 international system having over 70, 80 then -- I
 23 think now more than 100 countries. We were the vice
 24 presidents.

25 Yasser Arafat, because of his multiple

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1 relations on the African continent, became -- made that
2 the PLO is always invited at the summit meeting of the
3 African continent, Sub-Saharan Africa. Now the African
4 Union, we are always invited to that.

5 So we were full members of the Arab League,
6 vice presidents of the Organization of Islamic
7 Countries, vice president of the non-aligned movement,
8 a constant observer, guest to the African summits.
9 That's it.

10 But as I told you, I'm not familiar with your
11 concept of "incorporated entity."

12 Q. Thank you.

13 What are the founding charter papers of the
14 Palestine Liberation Organization as you would describe
15 those, sir?

16 A. I'm sure you're aware that we adopted a
17 charter in 1964. It was, I think, once amended in 1968.
18 And you might remember still the brouhaha in the '90s
19 about the need to revise, amend, and to sentences used
20 by Arafat in Paris Caduc concerning certain passages
21 that would be contradictory with the pledges that we
22 took in the mutual recognition resulting from the
23 Oslo-backed channel.

24 So a charter was adopted in '64, once amended
25 in '68. And then, in the '90s, we re-amended twice,

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1 once in the session -- PNC session of '96 and again in
2 the session of '98 in the presence of President Clinton.

3 The second time, in my opinion, was totally
4 unnecessary. It was to respond to a caprice of
5 Netanyahu who said: I was unconvinced of the first
6 amendment. Even though Peres, who had been prime
7 minister during the previous year, said: I was fully
8 convinced.

9 So we re-made the same re-amendments in '96
10 and '98, the second time with the world as our witness
11 and in the presence of President Clinton. And in those
12 two amendments or those two last sessions -- and the
13 '98 session, by the way, I think was the last session
14 ever of convening the PNC as a whole -- the wording was
15 that the PNC endorsed our proclamation of independence
16 announced in 1988 in the PNC held in Algiers, our
17 acceptance of 242 as a basis for the conflicts
18 resolution, our acceptance of the principle of the
19 two-state solution, our endorsement of the exchange of
20 letters between Yasser Arafat and Yitzhak Rabin in '93.
21 And it said any item in the charter which is
22 contradictory with all those stipulations would be -- is
23 deleted and considered obsolete and annulled.

24 Q. Thank you.

25 Other than the documents to which you just

Page 24

1 referred, being the charter and the amendments, and
2 I won't cite all the things you just said --

3 A. Uh-huh.

4 Q. -- are you aware, Mr. Ambassador, of any other
5 documents that constitute the organizational papers of
6 the Palestine Liberation Organization?

7 A. No, each PNC --

8 Q. Was that a "no"? I didn't hear. I'm sorry.

9 A. Don't consider it as part of the answer.

10 I was just -- so the answer is: No, I'm not aware of
11 any -- I don't think there is any other document.

12 But each meeting of the parliament in exile,
13 each meeting of the PNC will result in resolutions being
14 adopted, sometimes by a majority, sometimes by a vote,
15 sometimes by consensus and sometimes by a vote and
16 supported by a majority.

17 For example, a PNC session that was of a
18 historical nature was the one that took place in 1974,
19 I think April. After the October War of '73, that war
20 having been called the Kippur War, the Ramadan War -- I
21 would use the October War as an appellation of a neutral
22 nature. I personally believe the October War was a line
23 of demarcation in strategic thinking in the region as a
24 whole and within the Palestinian movement.

25 It's then that we moved beyond double negation

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1 towards the acceptance of the principle of reciprocal,
2 mutual recognition. And in the '74 session of the PNC,
3 for the first time, we adopted the idea of a two-state
4 solution or of a Palestinian state on parts of
5 Palestine. And all the future PNC sessions in '77, '79,
6 '81, et cetera, would make further clarity in our vision
7 of the two-state solution.

8 In '77, we spoke of the acceptance of
9 international legality being implemented on the --

10 Q. International?

11 A. -- legality --

12 Q. Yes.

13 A. -- meaning the totality of relevant U.N.
14 resolutions. And, you know, when you speak of the U.N.
15 resolutions, you immediately imply 181, the partition,
16 194, the right of return, the 242 based on the '67
17 boundaries.

18 So in '74 -- as I told you, the October War,
19 I believe, was a demarcation line in strategic thinking.
20 We spoke of a state on parts of Palestine. '77, we
21 spoke of the acceptance of international legality being
22 implemented in conflict resolution. In '79, there was
23 a resolution adopted to engage in dialogue with Israeli
24 circles and Jewish communities in the diaspora. So
25 increasing clarity.

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1 I would invite you to have a look at a book
2 that I just published a few months ago titled "The Peace
3 Process from Breakthrough to Breakdown." It has -- it's
4 a collection of lectures I gave from '81 until 2005.
5 And in a debate that I had in Harvard with Chaim Shur --
6 who was then the editor in chief of an Israeli magazine,
7 New Outlook, if you remember -- my intervention,
8 unwritten, but it was titled "Palestinian Peace
9 Diplomacy," where I recapitulate all those resolutions,
10 putting them in historical context.

11 Q. Thank you very much.

12 Who has published that book?

13 A. It's a London publishing house called Al-Saqi.
14 And, by the way, you can find it in the American Colony
15 bookshop just right across the street.

16 Q. Thank you.

17 A. I'm answering as extensively as I can.

18 Q. Yes. Thank you very much.

19 Is that the Barakat shop or a different shop?

20 A. The owner is called Munir. I think the
21 Barakat shop is the jewelry and art, whatever.

22 Q. Next to it or across from it?

23 A. Across.

24 Q. Thank you.

25 So are you aware of any other organizational

1 of the archive. But I insist on the words "part of the
2 archive."

3 Since the move from Tunis back to the homeland
4 in the West Bank and Gaza, some of the documents were
5 left in Tunisia and some were brought in. Much of that
6 was stored in Gaza. And, unfortunately, after the Hamas
7 military takeover in 2007, much of that is no more
8 available, accessible, was dilapidated. I don't know
9 if it was preserved or some of it was plundered.

10 Then there was the war or the belligerency
11 that took place at the end of 2008, 2009, where several
12 governmental offices, not under our control, but
13 governmental offices were bombarded with much of the
14 archives.

15 And so I said dramatic story about documents
16 and archives because, one, the migrant nature of
17 the Palestinian national movement and the multiple
18 belligerencies which have occurred has resulted that
19 much of the documentation would have been dispersed
20 or unavailable, inaccessible.

21 Q. Thank you.

22 A. And I for one very much regret that because
23 I believe that the history of the Palestinian national
24 movement has to be written. And for the West, I think
25 many segments of that history have to be rewritten and

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1 papers of the Palestine Liberation Organization other
2 than those to which you have referred thus far in your
3 deposition here today?

4 A. No. No.

5 Q. And where are all the organizational papers of
6 the Palestine Liberation Organization currently housed?

7 A. That's a tragic and dramatic situation.
8 Because, as you know, we are a movement that has
9 been a migrant movement. For a period, Amman was
10 the center of gravity of Palestinian political life.
11 It was terminated in 1970. The center of gravity moved
12 to Beirut.

13 Q. And the center of --

14 A. The center of gravity of the Palestinian
15 political life --

16 Q. Yes.

17 A. -- moved to Beirut.

18 Q. Yes.

19 A. And as you remember -- you might remember that
20 we had dramatic events in '82 which resulted in the move
21 of the Palestinian leadership from Beirut to Tunis. But
22 the Palestine Research Center of the PLO was plundered
23 by the Israeli Army. And trucks came to load and unload
24 all the documents and books and whatever. Many of the
25 offices were bombarded. And yes, they could take part

1 explained. And with the absence of the comprehensive
2 nature of those archives, it will be problematic. And
3 it's a painful subject.

4 Q. Thank you.

5 You referred to the Palestine Research Center?

6 A. Yes, sir.

7 Q. Is that an official entity of the Palestine
8 Liberation Organization?

9 A. Again, I'm not familiar with what you imply
10 by the words "official entity."

11 It was a research center that was created
12 by a PLO decision given to be managed by one of the
13 prominent Palestinian intellectuals, Dr. Anis Sayegh.

14 Q. Can you spell that?

15 A. Anis would be A-n-i-s. Sayegh is S-a-y-e-g-h.
16 Then at the moment by a Palestinian-Israeli intellectual
17 called Sabri Jeries. And Sabri would be S-a-b-r-i.
18 Jeries would be J-e-r-i-e-s.

19 It was created by a PLO decision. But
20 once it was created as a research center, it became
21 autonomous, independent. And it's archives, et cetera,
22 but it became also a library. It became a research
23 center. It became a reference.

24 And Beirut then -- put yourself in the
25 atmospherics of Beirut. Beirut was a vibrant center

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1 of Arab intelligentsia and Arab academia with several
2 universities from the AUB to the Jesuit to the Lebanese
3 University. So it was a library, a research center, but
4 at the same time, an archival system for the history of
5 the Palestinian movement.

6 But as I told you, it was created by a
7 decision of the PLO. It became an independent center
8 and had two successive prestigious directors. They were
9 subjected at one moment to a bomb and an attempted
10 assassination of its director, Dr. Anis Sayegh. And I
11 think she was slightly mutilated as a result. And in
12 the invasion of Beirut in '82, as I told you, the
13 Israeli Army just sent trucks and loaded everything.

14 Q. Does the Palestine Research Center still exist
15 today as an entity?

16 A. To tell you frankly, no. There is the
17 Institute of Palestine, which was always an independent
18 initiative, very prestigious, led by Professor Walid
19 Khalidi, K-h-a-l-i-d-i. But that was an independent
20 institution. Its board of trustees is Palestinian Arab,
21 prestigious, wonderful work.

22 No. Unfortunately, that other center had
23 no institutional -- there was a small office opened
24 in Cyprus after our move out of Beirut. But it was
25 never what it used to be during the Beirut days.

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1 Q. At any time, did the Palestine Liberation
2 Organization establish any other archival center,
3 gathering and maintaining records regarding the
4 Palestinian movement?

5 A. To my knowledge, I wouldn't say there was any
6 central archival system. Different departments, offices
7 would have their own archival system.

8 For example, as the Palestinian ambassador,
9 I belonged to the PLO political department, which was
10 our foreign ministry in a way, which was located in
11 Beirut until '82 and then in Tunisia from '82 onwards.
12 They would have the archives of the political department
13 of the PLO.

14 Then there is -- the Arafat office would have
15 its own. And then there is the refugee department, the
16 education department. So there was no central archival
17 department. But each institution would have its own
18 individual archival system.

19 Q. Thank you.

20 A. But as I told you, all of them have suffered
21 from those disruptions, migrations, bombardments,
22 invasion of the occupation, et cetera.

23 Q. Thank you.

24 Today is there any -- what I will refer to
25 as a central repository location or multiple locations

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1 where documents relating to the Palestine Liberation
2 Organization still exist and are accessible, are
3 maintained?

4 A. Not to my knowledge.

5 Q. Are there different locations today where the
6 Palestine Liberation Organization maintains records of
7 the PLO, not only regarding its history, but also its
8 structure and its membership and other aspects of its
9 activities and operations?

10 MR. HIBEY: I'm going to object to the form
11 of the question.

12 MR. HEIDEMAN: What's the nature of the
13 objection, Dick, so I can correct it?

14 MR. HIBEY: Form. It's compound.

15 MR. HEIDEMAN: I'll be glad to break it apart.
16 Thank you.

17 Madam Court Reporter, could you read back the
18 question, please?

19 (Pending question read.)

20 Q. BY MR. HEIDEMAN: In light of the
21 objection, let me rephrase the question.

22 Could you please tell the Court whether or not
23 the Palestine Liberation Organization maintains a single
24 location for its records or multiple locations?

25 A. I think -- first of all, let me tell you that,

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1 after the birth of the Palestinian National Authority in
2 1994 onwards, the PLO today I would define as being the
3 Palestinian National Council. The headquarters of this
4 institution is in Amman. The Central Council, which
5 is led by the speaker of the PNC, so the headquarters,
6 the secretarial headquarters would also be in Amman.
7 And the Executive Committee of the PLO, which is headed
8 by, for the moment, Mahmoud Abbas, so it would be --
9 documents would be in his office in Ramallah. That's
10 the PLO.

11 The political department of the PLO, which
12 was the foreign ministry of the PLO, its role declined
13 in the '90s. And most of the ambassadors, still
14 institutionally connected to the PLO and representing
15 the PLO as a whole, started interacting in a political
16 nature with the Palestinian Ministry for Foreign
17 Affairs, now located in Ramallah.

18 At the birth of the PNA, that ministry was
19 called the Ministry of International Cooperation. And
20 it was renamed in the end of the '90s as the Ministry
21 for Foreign Affairs. That would be the PLO.

22 Now let me answer a segment of your previous
23 question that was objected about --

24 MR. HIBEY: Excuse me. Let the lawyer put
25 the question to you.

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1 Q. And on what date did the PLO create the
2 Palestinian National Authority?
3 A. You know that the negotiations in Oslo, the
4 back channel, were from the beginning of '93 until
5 August of '93. And that agreement, on the interim
6 period, was signed on the White House lawn on the
7 13th of September, '93. And a couple of months later,
8 Yasser Arafat had it endorsed by the Executive Committee
9 of the PLO. And Mr. Zanon convened a session of the
10 Central Council to endorse that agreement that was
11 signed and to give its green light for the creation
12 of it.

13 But once that was decided, the PA, or PNA,
14 starts to have its own autonomous existence with its
15 own institutions. And if you remember, it all started
16 with the Gaza-Jericho agreement. And the Israelis
17 withdrew out of the urban centers of the West Bank in
18 December '95, allowing the presidential elections of
19 early '96.

20 But, by the way, these decisions were not easy
21 to take. There was a lot of persuasion needed. But
22 they were moments of hope. We would always say that
23 history now is in the making. And we were unreasonably
24 reasonable to give hope a chance.

25 Q. At the time the PLO created the Palestinian

1 Fatah the dominant party?
2 A. Now you're taking too much on the word
3 "dominant." In 1996, yes. And it was so comfortable
4 in Palestinian public opinion that there were certain
5 factions that were not on the official list of Fatah,
6 but who wanted to run for the legislative elections,
7 who ran as independents against the official list.
8 And a few of them won in those elections against the
9 officials.

10 So it was comfortable, and we were speaking
11 still at the moment of political hope. That election
12 occurred two months after the Israeli withdrawal out of
13 the urban centers. I remember, from London, I had sent
14 to Bethlehem 12 bagpipes donated by the Lord Provost,
15 Lord Mayor of Glasgow. And I remember the student --
16 the scout movement playing -- and it's an instrument
17 I detest -- playing the bagpipes to celebrate the
18 withdrawal out of the urban center of Bethlehem. And
19 that was before it was caged --

20 Q. Thank you.

21 A. -- and all the urban centers of the West Bank.
22 So there was a moment of hope.

23 And in Palestinian politics, always bear in
24 mind there's the vehicles of hope and the vehicles of
25 anger.

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1 National Authority in 1993, did the PLO cause the
2 Palestinian National Authority to become separately
3 incorporated?

4 A. Again, I --

5 MR. HIBEY: I'm going to object to the use of
6 the word "incorporated."

7 THE WITNESS: I'm not comfortable, and I don't
8 know what you mean by "separately incorporated."

9 MR. HIBEY: Calls for a legal conclusion.

10 THE WITNESS: The Palestinian National
11 Authority is a result of a bilateral agreement,
12 with the world as our witness, between the government
13 of Israel and the PLO, negotiating on behalf of
14 the totality of the Palestinian people to create a
15 self-governing body in the territories occupied in '67,
16 which are the West Bank, including East Jerusalem, and
17 Gaza. And the organs that emanated would be organs
18 that represent that constituency.

19 Q. BY MR. HEIDEMAN: Thank you.

20 A. So it's a new dynamic for a totally separate
21 structure. But the green light for its birth was
22 given by the PLO, who had negotiated on behalf of the
23 Palestinian people. Yes.

24 Q. Thank you.

25 At the time of the elections in 1996, was

1 Q. At the time of the 1998 session of the PNC,
2 was Fatah the dominant party?

3 A. You make me regret having used the word
4 "dominant party."

5 And as I told you, dominant party was a
6 concept I used. I borrowed it from the political
7 science lexicon, the continental European politics.
8 But I use that word.

9 In '98, it was still a moment of hope. And I
10 would still consider Fatah to have been in a comfortable
11 situation. Especially each PNC session takes place in
12 a particular moment, and the environment is important.

13 An American president was coming to attend
14 our session. He was also there to inaugurate the first
15 airport, the Gaza airport, that functioned slightly for
16 a couple of months and was then bombed out of existence.

17 So it was a moment of hope. Then it was easy
18 to ask people: We are re-amending what we have already
19 done, amending the charter, and let's do it again.

20 So people saw hope in the presence of Clinton and the
21 opening of the airport, et cetera. The atmospherics
22 were conducive for Fatah to be extremely comfortable.

23 A meeting today, when Palestinians would have
24 just read in the paper that 12 dunams and a half have
25 been confiscated here, at a walking distance from the

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1 goal of Palestinian statehood in the final status.
 2 But on day-to-day management, et cetera, the
 3 Palestinian cabinet is responsible and accountable to
 4 the Palestinian Legislative Council and not to any
 5 other.
 6 Q. It's true, is it not, that the Palestinian
 7 Authority remains responsible for the negotiations with
 8 the State of Israel?
 9 MR. HIBEY: Excuse me. He's not here as a
 10 Palestinian Authority witness.
 11 MR. HEIDEMAN: But he testified earlier that
 12 the Palestine Liberation Organization was responsible
 13 for the negotiations with the State of Israel.
 14 MR. HIBEY: Yes.
 15 MR. HEIDEMAN: And I'm trying --
 16 MR. HIBEY: But you are putting a question to
 17 him about the Palestinian Authority. He is not in the
 18 chair for the Palestinian Authority.
 19 MR. HEIDEMAN: I understand that.
 20 Q. BY MR. HEIDEMAN: But I would like to
 21 know, sir, on behalf of the Palestine Liberation
 22 Organization, who is responsible for negotiations
 23 with the State of Israel during the time period
 24 after the creation of the Palestinian Authority?
 25 Was it the PLO, or was it the PA?

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1 MR. HIBEY: Excuse me. I object to the
 2 question because you have to be more precise about
 3 the negotiations you're talking about. The witness
 4 has made it very clear what negotiations fell in the
 5 bailiwick of the PLO.
 6 Q. BY MR. HEIDEMAN: The Palestinian security
 7 forces that were established were under the command
 8 of Chairman Arafat; isn't that correct?
 9 A. He was the overall official commander of all
 10 the security institutions. But each one of them had its
 11 own existence. And from 2000 onwards, they had received
 12 a serious blow that disrupted their normal functioning.
 13 Because, unfortunately, in every Israeli
 14 action against -- in response or in preemption of
 15 Palestinian possible activity, it was the Palestinian
 16 security forces that were targeted, ending in them
 17 becoming totally incapacitated, meaning that their
 18 headquarters, their branches, their offices, their
 19 mobility, capabilities in cars, and whatever were
 20 damaged and incapable of moving from one area to the
 21 other.
 22 Q. And before we break for lunch, it's true, is
 23 it not, that the ultimate authority of the Palestinian
 24 Authority is the Palestine Liberation Organization and
 25 the Palestine -- Palestinian Authority is accountable

1 to the Palestine Liberation Organization Executive
 2 Committee?
 3 Isn't that true?
 4 A. There is a supremacy of the PLO in the
 5 sense that the PLO is the body that encapsulates and
 6 represents the totality of the Palestinian people. The
 7 PA represents only a segment of those people that happen
 8 to be in those territories designated as the West Bank
 9 and Gaza.
 10 So there is supremacy of the PLO on the PA,
 11 if you want. But they are two distinct entities. The
 12 PNA was created through a positive opinion of the PLO
 13 organ. So it's the PLO that decided, after agreement
 14 with the Israelis, to create the Palestinian National
 15 Authority.
 16 But once the Palestinian National Authority
 17 was created, it has a distinct, separate, autonomous
 18 existence with organs accountable one to the other,
 19 such as the cabinet, the ministry to the Palestinian
 20 Legislative Council and to the electorate in the final
 21 analysis.
 22 Q. But the Palestinian Authority was made
 23 accountable to the PLO Executive Committee; isn't
 24 that true?
 25 MR. HIBEY: I'm going to object. That

1 question has been asked and it has been answered.
 2 And I don't think that you should be putting it to
 3 him again.
 4 Q. BY MR. HEIDEMAN: Notwithstanding the
 5 objection, please answer the question.
 6 It's true, is it not, the Palestinian
 7 Authority was made accountable to the PLO Executive
 8 Committee?
 9 MR. HIBEY: I am going to object. It's been
 10 asked and answered.
 11 THE WITNESS: I think I will take the advice
 12 of my counsel.
 13 Q. BY MR. HEIDEMAN: Please answer the
 14 question.
 15 MR. HIBEY: Don't answer the question.
 16 Q. BY MR. HEIDEMAN: It's true, it is not,
 17 that --
 18 MR. HIBEY: Don't answer the question.
 19 MR. HEIDEMAN: Certify that to the Court,
 20 please.
 21 Q. BY MR. HEIDEMAN: It's true, is it not,
 22 that the Palestinian Authority remains responsible
 23 for the negotiations with the State of Israel as
 24 of --
 25 MR. HIBEY: Regarding what?

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1 plays the role and function as though it was the PNC
2 in session.

3 Q. Did anyone other than Yasser Arafat serve
4 as president of the state of Palestine during the time
5 period 1989 until his death in 2004?

6 A. No.

7 Q. When was Yasser Arafat elected the president
8 of the Palestinian National Authority?

9 A. He was elected by the Central Council meeting
10 in October '93 in Tunis. This was after the signature
11 in Washington. And he arrived and functioned here on
12 that basis.

13 And when the elections were made possible --
14 and that was January 1996 -- he ran in a competitive
15 election against a charming, adorable lady called Samiha
16 Khalil. And she was the head of the biggest NGO. She
17 ran against him. He got around 87 percent of the vote,
18 and she got 13 percent of the vote in a competitive
19 election and internationally monitored election.

20 So he was chosen by the Central Council,
21 before the birth of the PA, to be the president of the
22 PA. And when he came to assume that role, at the first
23 opportunity, when elections were made possible, he ran
24 in a competitive election, which he won with 87 percent
25 of the vote.

1 at the very beginning, the agreement was to be a
2 phased agreement. It started with the Gaza-Jericho
3 agreement, which was supposed to expand gradually to
4 incorporate all of the West Bank and the Gaza Strip.

5 But in the first initial period, he mainly
6 operated from his Gaza office, visited frequently the
7 West Bank, had a presidential office in Jericho, but
8 visited many Palestinian West Bank cities. And wherever
9 Arafat was, that became the headquarters of the PA for
10 the duration of his visit.

11 Gradually, with the Israeli withdrawal out of
12 the West Bank urban centers and with Israeli consent and
13 international encouragement, the de facto administrative
14 center for the West Bank became Ramallah. So he had two
15 major offices, one in Gaza and one in Ramallah.

16 The office in Jericho was often frequently
17 used for appointments. For example, I remember probably
18 '96 when Vice President Al Gore visited, it was agreed
19 that the meeting would take place in Jericho, which is
20 an agreeable place, heavenly in winter. And the Jericho
21 office functioned as the presidential office.

22 Arafat would have an office at his disposal
23 whenever he moved to Hebron, Nablus, et cetera. And
24 he often made sure that he would visit several different
25 towns so that he would remain in touch with the pulse

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1 Q. Thank you.

2 So would it be accurate to say that, for
3 the time period from 1993 until his death in 2004,
4 Yasser Arafat simultaneously served as chairman of
5 Fatah, president of the state of Palestine, chairman
6 of the Palestine Liberation Organization Executive
7 Committee, and president of the Palestinian National
8 Authority?

9 Is that true?

10 A. He had those titles in those four different
11 organs and which, as I said, are each distinct,
12 separate, and has its own different bodies, has its
13 charter, its bylaws, its modus operandi, and its
14 different constituencies --

15 Q. Thank you.

16 A. -- which I have mentioned earlier.

17 Q. Yes. Thank you.

18 A. I don't want to inflict on you a repetition
19 of what I said earlier.

20 Q. Thank you.

21 Tell the Court, if you would, how many
22 different offices Yasser Arafat had during the time
23 period from 2000 through his death in 2004.

24 A. It started with Yasser Arafat having an
25 office in Gaza and in Jericho. Because, as you know,

1 of Palestinian public opinion.

2 And the population, inhabitants of every city
3 or province would take advantage of his presence so that
4 they would attract his attention to their priorities and
5 their concerns.

6 Q. Thank you.

7 A. And that was the wise way of dealing, since
8 the West Bank was a fragmented geographic entity, not
9 easy communication for the average inhabitant. So the
10 president going to those localities was not an unwise
11 course of action.

12 Q. Thank you.

13 When Yasser Arafat, during the time period
14 2000 to 2004, went to his office, wherever it might
15 have been, tell the Court whether or not he maintained
16 separate offices in his separate capacities as chairman
17 of the Executive Committee of the PLO, as president of
18 the Palestinian National Authority, as president of the
19 state of Palestine, and as head of security.

20 A. Yasser Arafat was never head of security. He
21 was president. He was, for a certain period, minister
22 of interior. He was not head of security.

23 Q. Thank you.

24 Why don't we clarify just that one point.
25 Thank you for correcting my question.